

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

February 20, 2007

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman

Jennifer Hill, Vice Chairman

Elaine Renick, District #2

Debbie Stivender, District #3

Linda Stewart, District #4

Cindy Hall, County Manager

Sanford A. Minkoff, County Attorney

James C. Watkins, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

February 20, 2007

8:30 A.M. VALUE ADJUSTMENT BOARD

10:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

- Tab 1 Approval of the following Minutes:
- January 23, 2007 (Regular Meeting)
 - January 26, 2007 (Special Meeting - Board Retreat)

III. CLERK OF COURT'S CONSENT AGENDA

- Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7)
1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office - Acknowledge receipt
 2. Unclaimed excess proceeds for tax deeds totaling \$7,456.95 - Acknowledge receipt.
 3. Satisfaction and Release of Claim, in regards to the Estate of John E. Cole, Jr., File No. 2006-CP-1195 - Acknowledge receipt.
 4. City of Eustis Annual Report for Fiscal Year October 1, 2005 through September 30, 2006 - Acknowledge receipt.
 5. Notification of publication for annexation for applicants Hunter McNeer and Norman Thomas, for the following parcels, lying within an incorporated area of Lake County, generally located south of Hanley Road:

Parcel No. 1 – W $\frac{3}{4}$ of N $\frac{1}{2}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Lake County, Florida.

Parcel No. 2 – SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$, lying S of Hanley Road R/W, Lake County, Florida.

The Ordinances relevant to the above referenced annexations will be published in The Daily Commercial on February 5, 2007.

Recommendation: Acknowledge receipt
 6. Annexation Ordinances from the City of Fruitland Park, adopted on January 25, 2007, as follows:

Ordinance No. 2007-001, annexing approximately 3.9 acres located at 35326 Micro Race Track Road.

Ordinance No. 2007-003, annexing approximately 94 acres located north of Spring Lake Road and south of Lake Ella Road.

Recommendation: Acknowledge Receipt
 7. Notice Before the Florida Public Service Commission – In re: Application for increase in water and wastewater rates in Lake County, by Utilities, Inc. of Pennbrooke.

Notice of Proposed Agency Action and Order Approving an Increase in Wastewater Rates.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 21)

Budget

[Tab 3](#) Approve very low-income and low-income impact fee waivers as refunds to lenders on behalf of qualified individuals. Commission Districts 1, 3, 4 and 5.

[Tab 4](#) Approve Budget Change Requests:

Budget transfer - General Fund, Department of Environmental Services, Water Resources Division. Transfer \$16,320 from Reserve for Operations to Buildings. Funds are needed for architectural and engineering services for a lab addition to the Environmental Services Building in Astatula. The addition will be 15' x 38', and will be constructed to match the existing building. Funds are available in Reserve for Operations.

Budget transfer - Library Impact Fee Trust Fund, Department of Community Services, Library Services Division. Transfer \$500,000 from Special Reserve to Buildings. A transfer of funds from the Library Impact Fee Special Reserve account is needed for the approved Library Impact Fee applications submitted on the July 11, 2006 BCC meeting date. A budget transfer was completed for Fiscal Year 2006 at that time, however, the Fiscal Year 2007 budget inadvertently omitted the \$500,000. Therefore, funds should be transferred to the Buildings account for the Cagan Crossings Library Project (approved by the Board on July 11, 2006) in the amount of \$500,000. Funds are available in Special Reserve. After the posting of this transfer, there will be \$1,823,034 remaining in Special Reserve.

Budget transfer - County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$95,380 from Repair and Maintenance to Buildings. Fire Rescue needs to purchase a 27' x 40' modular building to be used as living quarters for Fire Station #90 (Ferndale). This building was not budgeted in the Fiscal Year 2007 budget, but funds are available in the Repair and Maintenance account. Apron repair was budgeted in Repair and Maintenance to repair driveways at various stations. Budgeted funds were significantly less than estimates that have been received, so the project will be completed using a less expensive repair method or budgeted again in future years.

Growth Management

[Tab 5](#) Approval of the Purchase Agreement between Lake County and the St. Johns River Water Management District. Authorize Chairman to execute necessary closing documents. Commission District 4.

Procurement

[Tab 6](#) It is recommended that the Board approve and execute a contract with T.Y. Lin International for engineering services for Radio Road, Kurt Street and Cherry Lake, Jalarmy & East Apschawa Road. Commission Districts 2, 3 and 5.

[Tab 7](#) It is recommended that the Board award ITB# 07-0816 for the Repair of Four (4) Summit Walking Floor Trailers to CMD Trailer Sales in Jacksonville, FL for the amount of \$54,750.96.

Public Safety

[Tab 8](#) Lake County Department of Public Safety Fire Rescue Division requests approval to enter into an Automatic Aid Agreement with the City of Tavares to provide fire protection and rescue services.

Public Works

[Tab 9](#) Request authorization to execute change order #1 to the Countywide Resurfacing Project No. 2005-10 in the amount of \$68,324.39 for additional work relating to the project, and approval to encumber and expend funds in the amount of \$68,324.39 from the Renewal Sales Tax Capital Project Fund.

- [Tab 10](#) Approval and authorization for Chairman to execute satisfaction of liens for the attached nineteen (19) road assessments.
- [Tab 11](#) Accept the following: Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition 1086, request to vacate rights of way, in the Plat(s) of Silver Lake Estates, located in Sections 9 & 10 - Leesburg area. Commission District 1.
- [Tab 12](#) Accept the following: Approval and signature of Resolution and Advertise Public Hearing for Vacation Petition 1106, request to vacate a portion of North Shore Drive and Lake Griffin Drive and a canal in the Treasure Island/ Leesburg area. Commission District 1.
- [Tab 13](#) Accept the following: Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition 1107, request to vacated deeded right of way, lying within Flowing Waters Preserve in the Grand Island Area. Commission District 1.
- [Tab 14](#) Approve agreement with Tuscany Village Venture, L.L.C. regarding improvements to the South Clermont Connector (Hammock Ridge Road) currently under construction and approval to execute change order #1 to the South Clermont Connector project with DeWitt Excavating, Inc. in a credit amount of \$-118,519.67. Commission District 2.
- [Tab 15](#) Request authorization to release a letter of credit for maintenance in the amount of \$52,860 posted for Grand Island Estates. Grand Island Estates consists of 47 lots and is located in Section 32, Township 18 South, Range 26 East. Commission District 4.
- [Tab 16](#) Approval to accept the following listed public right of way deeds that have been secured in conjunction with roadway projects. Commission Districts 2 & 3.
- [Tab 17](#) Approve and execute a purchase agreement with Joseph R. Orfe, and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, for property within the Forest Hills/Lake Mack Flood Buy Out Program. Commission District 5.
- [Tab 18](#) Request authorization to accept the final plat for Windsor Green Phase I and all areas dedicated to the public as shown on the Windsor Green Phase I plat. Windsor Green Phase I contains 19 lots and is located in Section 10, Township 19 South, Range 24 East. Commission District 1.
- [Tab 19](#) Request authorization to accept the final plat for Village Hills and all areas dedicated to the public as shown on the Village Hills plat. Village Hills consists of 17 lots and is located in Section 31, Township 18 South, Range 24 East. Commission District 1.
- [Tab 20](#) Request authorization to release a letter of credit for performance in the amount of \$506,291.50, accept a maintenance bond in the amount of \$232,933.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and MI Homes of Lake County, LLC, and execute a resolution accepting the following roads into the County Road Maintenance System: Yale Bluff Drive (County Road No. 4667); Scenic Bluff Drive (County Road No. 4667A); Lake Yale View Loop (County Road No. 4667B); Scenic Ridge Drive (County Road No. 4667C); Scenic Pine Ridge (County Road No. 4667D); and Lake Overlook Drive (County Road No. 4667E) . Windy Ridge at Lake Yale consists of 175 lots and is located in Section 29, Township 18 South, Range 26 East. Commission District 4.
- [Tab 21](#) Request to award Sleepy Hollow Road Realignment Project No. 2006-12, to WRS Infrastructure & Environment, Inc. in the amount of \$988,303.00 and to encumber and expend funds in the amount of \$988,303.00 from the Road Impact Fee Fund, Benefit District 3. Commission District 1. Agreement subject to review and approval by County Attorney's Office.

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 22 through Tab 24)

[Tab 22](#) Approval of Bond Counsel Agreement between Lake County and Nabors, Giblin & Nickerson, P.A.

[Tab 23](#) Approval of Federal Equitable Sharing Agreement for Lake County Sheriff's Department.

[Tab 24](#) Authorization to make application for tax deed by county on one parcel.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Environmental Services

[Tab 25](#) Approve and present a Resolution in support of Ibini Tera.

Growth Management

[Tab 26](#) Approval of the Purchase and Sales Agreement between Lake County and Nancy C. and John J. Robinson. Authorize Chairman to execute necessary closing documents. Commission District 1.

VII. PUBLIC HEARINGS

PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter

[Tab 27](#) Approval of Stipulated Settlement Agreement; Department of Community Affairs v. Lake County.

VIII. OTHER BUSINESS

[Tab 28](#) Appointment of individual to the vacant at-large representative seat on the Zoning Board to serve a four-year term ending January 31, 2011.

[Tab 29](#) Appointment of individual to vacant District 2 seat on the Board of Adjustment to serve a four-year term to end on January 31, 2011.

[Tab 30](#) Appointment of individuals to vacant positions on the Library Advisory Board.

[Tab 31](#) Appointment of individuals to upcoming vacant positions on the Industrial Development Authority to serve four-year terms beginning March 10, 2007.

IX. REPORTS

A. County Attorney

B. County Manager

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Stivender - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration.

NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.